

REMARKS

Claims 12-13, 16-20 and 22-23 have been canceled. New claim 24 incorporates all limitations of claim 12 and 13. New claim 26 includes all limitations of claims 12 and 17. New claim 28 includes all limitations of claims 12 and 18. New claim 30 includes all limitations of claims 12 and 19. New claim 32 includes all limitations of claims 12 and 20. Claims 14-15 have been amended to depend from claim 24. Claim 21 has been amended to depend from claim 32 and has also been amended to include a final period. Claims 25, 27, 29, 31 and 33 incorporate all elements of claims 22 and 23 and depend, respectively, from claims 24, 26, 28, 30 and 32.

Drawings

The Examiner objects to the drawings because of undefined elements. Applicants request that the submission of new drawings be held in abeyance pursuant to 37 CFR 1.111(b). In the following paragraphs and amendments to the claims, Applicants have made a *bona fide* attempt to advance the application to final action. Applicants have addressed with particularity every element of Examiner's action. Applicants submit that the claims can be properly examined without reference in the drawings to the elements noted by the Examiner in her office action.

Claims

Objection – The Examiner objected to claim 21 because a final period was absent. Amended claim 21 includes a final period and depends from new claim 32, which includes all limitations of claims 12 and 20.

112 Rejection – The Examiner rejected claims 13-15 and 17 as indefinite for failing to particularly point out and distinctly claim the subject matter of the invention, more particularly, claim 13 teaches “side rails” and claim 17 describes “force-opposing means.”

Claim 13 has been canceled and replaced with independent claim 24, which incorporates all limitations of claims 12 and 13. Claim 24 describes a “plurality of side rails” and is not indefinite. Claims 14 and 15 stand or fall with claim 24. Applicants believe claims 24 and 14-15 are no longer indefinite and are allowable.

Claim 17 has been canceled. The objection is moot.

102 Rejection – Kanemitsu - The Examiner has rejected claims 12, 16-17, 20 and 22-23 as anticipated by US 5 077 885 to Kanemitsu. These claims have been canceled and replaced with new claims. Claim 26 incorporates all limitations of claims 12 and 17. Claim 32 includes all limitations of claims 12 and 20. Dependent claims 21, 27 and 33 stand or fall with their independent claims.

Anticipation exists where each and every material element of a claim is found in a single reference. Claim 26 describes a structural part comprising a fusible portion. In Kanemitsu, the structural part is designated by reference 23 (vertical member). The vertical member 23 is intended to support a radiator or a shroud. As a result, the vertical member is a rigid part. Kanemitsu nowhere teaches that the structural part comprises a fusible portion. In fact, one of ordinary skill in the art would not consider that the holes 13a which cooperate with the bolts 33 are fusible. Kanemitsu lacks a structural part having a fusible portion. It therefore lacks a material element of the claims and cannot anticipate claim 26.

The present invention includes fender linings 7 as shown in figure 3. A fender lining is a structural part that supports a fender. Claim 32 of the present application teaches an end of a structural part that extends below the fender lining. This configuration permits the assembly to be “collapsible” as defined on page 2, lines 3-6. Kanemitsu does teach a fender lining 14. See figure 5 (apron reinforcements). The Examiner erroneously equates a wheel apron 12 with the fender liner. Figure 6 of Kanemitsu clearly shows the fender 4b attached to the fender lining 14 with a bolt 36 and nut 37 combination. Figure 6 also shows that the end 22b of the structural part 22 is fixed to the fender lining 14 by the same bolt/nut combination and that the end 22b extends above the fender lining 14. The present application explains on page 4, lines 14-18 that Kanemitsu is not “collapsible” because the structural part is fixed above the fender lining. Kanemitsu lacks a material element of claim 32 and cannot anticipate this claim.

Independent claims 26 and 32 and their dependent claims 21, 27 and 33 are allowable.

Allowable Subject Matter

The Examiner indicated that claims 13-15 would be allowable if rewritten to overcome the section 112 objection and to include all limitations of claim 12. Claim 24 includes all limitations of claim 12 and 13. As explained above, claim 24 is not indefinite. Claim 24 and its dependent claims 14-15 and 25 are allowable.

The Examiner indicated that claim 18 would be allowable if rewritten to include the limitations of claim 12. New independent claim 28 incorporates all limitations of

claims 12 and 18. Claim 28 is allowable. Claim 29 is allowable as a dependent claim of an allowable claim.

The Examiner indicated that claim 19 would be allowable if rewritten to include the limitations of claim 12. New independent claim 30 incorporates all limitations of claims 12 and 19. Claim 30 is allowable. Claim 31 is allowable as a dependent claim of an allowable claim.

Claim 21 is allowable as a dependent claim of claim 32.

In summary, the Examiner had concluded that a combination of claims 12 and 13, as presented in claim 24, would be allowable. Claims 14-15 and 25 are allowable as dependent claims. Claim 26 is allowable at least because Kanemitsu does not teach a structural part having a fusible portion. The Examiner admitted claims 28 and 30 would be allowable as combinations of claims 12 and 18, and 12 and 19, respectively. Claim 32 is allowable because Kanemitsu does not teach a structural part below the fender lining. Claim 21 is allowable as a dependent claim of claim 32. Claims 27, 29, 31 and 33 are allowable as dependent claims of claims 26, 28, 30 and 32, respectively.

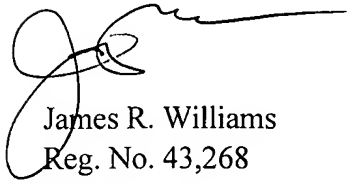
Applicant believes that the amended claims are now in condition for allowance. Applicant requests consideration and allowance of pending claims 14-15, 21, and 24-33.

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Respectfully submitted,

A handwritten signature in black ink, appearing to be 'JR Williams', with a long horizontal flourish extending to the right.

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